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U.S. DISTRICT COURT E.D.N.Y.

★ FEB 14 2019 ★

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

LONG ISLAND OFFICE

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THOMAS GESUALDI, LOUIS BISIGNANO, DARIN  
JEFFERS, MICHAEL O'TOOLE, MICHAEL BOURGAL,  
FRANK H. FINKEL, JOSEPH A. FERRARA, SR., MARC  
HERBST, DENISE RICHARDSON, and THOMAS  
CORBETT as Trustees and fiduciaries of the Local 282  
Welfare Trust Fund, the Local 282 Pension Trust Fund, the  
Local 282 Annuity Trust Fund, the Local 282 Job Training  
Trust Fund, and the Local 282 Vacation and Sick Leave Trust  
Fund,

Case No.: 18-CV-2396  
(SJF)(AKT)

**ORDER AND DEFAULT  
JUDGMENT**

Plaintiffs,

- against -

MV TRANSPORT CORP.,

Defendant.  
-----X

Upon the reading and filing of the motion for default judgment by the Plaintiffs,  
THOMAS GESUALDI, LOUIS BISIGNANO, DARIN JEFFERS, MICHAEL O'TOOLE,  
MICHAEL BOURGAL, FRANK H. FINKEL, JOSEPH A. FERRARA, SR., MARC HERBST,  
DENISE RICHARDSON, and THOMAS CORBETT as Trustees and fiduciaries of the Local  
282 Welfare Trust Fund, the Local 282 Pension Trust Fund, the Local 282 Annuity Trust Fund,  
the Local 282 Job Training Trust Fund, and the Local 282 Vacation and Sick Leave Trust Fund,  
including the Declaration of Arthur J. Muller III, Esq., dated the 28th day of December 2018,  
and the exhibits attached thereto; the Declaration of Ken Jones, executed the 27th day of  
December 2018, and the exhibits attached thereto; the Declaration of Joseph Puccio, executed  
the 17th day of December 2018, and the exhibits attached thereto; Plaintiff's Memorandum of  
Law in Support, and upon all prior proceedings herein, and after due deliberation, pursuant to  
Fed. R. Civ. P. 55(b)(2):

**IT IS HEREBY ORDERED and ADJUDGED:**

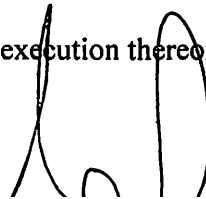
(A) The Court finds Defendant in default for failing to answer the Complaint, which Complaint was duly served on the Defendant, which Certificate of Default was entered by the Clerk of the Court on December 17, 2018;

(B) A Default Judgment is entered in favor of Plaintiffs and against the Defendant in the amount of \$93,539.70, consisting of:

- i. \$20,512.51 in unpaid contributions determined to be due and owing as a result of audit #12-0916-A1;
- ii. \$24,634.08 in interest on the unpaid contributions determined to be due and owing as a result of audit #12-0916-A1, calculated through October 16, 2017.
- iii. \$4,906.14 in additional accrued interest on the unpaid contributions determined to be due and owing as a result of audit #12-0916-A1 accruing from October 17, 2017 through February 14, 2019.
- iv. \$29,540.22 in additional damages equal to the interest due on the unpaid contributions determined to be due and owing as a result of audit #12-0916-A1 as of February 14, 2019;
- v. \$3,591.96 in audit costs as a result of audit #12-0916;
- vi. \$10,354.79 in attorney's fees and costs calculated through December 24, 2018; and

(C) that Plaintiffs shall have immediate execution thereon.

Dated: Central Islip, New York  
February 14, 2019



s/ Sandra J. Feuerstein

Sandra J. Feuerstein, U.S.D.J.